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ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR CONFIRMATION NO. 12/19/2003 10/707,535 Gary A. KNEEZEL 112222 1534 **EXAMINER** 27074 7590 11/09/2006 OLIFF & BERRIDGE, PLC. MENON, KRISHNAN S P.O. BOX 19928 **ART UNIT** PAPER NUMBER ALEXANDRIA, VA 22320

DATE MAILED: 11/09/2006

1723

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	10/707,535	KNEEZEL, GARY A.
	Examiner	Art Unit
	Krishnan S. Menon	1723
All Participants:	Status of Application	on: <u>Appeal Brief filed</u>
(1) <u>Krishnan S. Menon</u> .	(3)	
(2) <u>Jonathan Backstose</u> .	(4)	
Date of Interview: 8 November 2006	Time: <u>9:30 AM</u>	
	☐ Applicant's representative) No	
Part I.		
Rejection(s) discussed:		•
Claims discussed: 1 and 26 Prior art documents discussed: Goldsmith		
Part II.		·
SUBSTANCE OF INTERVIEW DESCRIBING TO Attached	HE GENERAL NATURE OF WHA	AT WAS DISCUSSED:
Part III.		
 □ It is not necessary for applicant to provide a directly resulted in the allowance of the applicant the interview in the Notice of Allowability. ☑ It is not necessary for applicant to provide a did not result in resolution of all issues. A brief 	cation. The examiner will provide separate record of the substance	a written summary of the substance of the interview, since the interview
		•
(Examiner/SPE Signature)	(Applicant/Applicant's Representa	ative Signature – if appropriate)

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Interview Summary

Applicant has filed an appeal brief on the final action of 5/22/06. Claims are for an internal fluid filter, and contain product-by-process limitation of "... passages etched into..." in claim 1 and "formed by etching" in claim 26, which applicant argues, would distinguish the claims over the applied prior art, because the applied prior art would not have the specific structure created by the etching process, like "orientation dependent chemical etching". However, applicant's disclosure and the claim language would not support this argument. Therefore, in this examiner-initiated interview, it was suggested that applicant amend the independent claims to include specific language that would distinguish the claims over the prior art; and three options are recommended:

- (1) Amend the claims to include: "internal microfluidic filter" instead of 'internal fluid filter'
- (2) Add to the claims "wherein the passages are etched by orientation-dependent chemical etching"
- (3) Add to the claims "wherein the filter material is crystal silicon or other material compatible with orientation-dependent chemical etching"

Applicant requested time to consider the suggestion. No agreement was reached.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krishnan S. Menon whose telephone number is 571-272-1143. The examiner can normally be reached on 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Krishnan S Menon Primary Examiner

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